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Washington, Tuesday, January 27, 1959

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Federal Deposit Insurance Corporation

Effective upon publication in the FEDERAL REGISTER, paragraph (b) is added to § 6.129 as set out below.

§ 6.129 Federal Deposit Insurance Corporation.

* * * * *

(b) One position of Chief Clerk in the San Juan, Puerto Rico, office.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F.R. Doc. 59-685; Filed, Jan. 26, 1959; 3:47 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER D—REGULATIONS UNDER SOIL BANK ACT

PART 485—SOIL BANK

Subpart—Violations Procedure

PLANTING ON ACREAGE RESERVE

The Soil Bank regulations applicable to violations, 22 F.R. 2411, as amended, are hereby further amended as follows:

Section 485.287 is amended by adding the following at the end thereof: "Notwithstanding any other provisions of this section, the producer shall not, because of the planting on the acreage reserve in the fall of 1958 of a crop which normally would be harvested between

December 31, 1958, and February 28, 1959, be required to forfeit or refund any of the compensation payable or paid, if the county committee determines that the producer relied in good faith on information given him by a member or representative of the county committee to the effect that the planting of such crop on the acreage reserve would not be in violation of the agreement." (Sec. 124, 70 Stat. 198; 7 U.S.C. 1812)

Issued at Washington, D.C., this 22d day of January 1959.

[SEAL]

TRUE D. MORSE,
Acting Secretary.

[F.R. Doc. 59-694; Filed, Jan. 26, 1959; 8:48 a.m.]

Title 7—AGRICULTURE

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

[Amdt. 1]

PART 730—RICE

Subpart—Regulations for Determination of Rice Acreage Allotments for 1959 and Subsequent Crops of Rice

MISCELLANEOUS AMENDMENTS AND CORRECTIONS

The amendments and corrections herein are issued under and in accordance with the provisions of the Agricultural Adjustment Act of 1938, as amended, to correct minor errors and make minor amendments in the regulations in this subpart published in the FEDERAL REGISTER (23 F.R. 8528).

Since the amendments proposed are minor and are not of a substantive nature it is hereby found that compliance with the public notice, procedure, and effective date provisions of the Administrative Procedure Act (5 U.S.C. 1003) is unnecessary and these amendments shall become effective upon the date of their publication in the FEDERAL REGISTER.

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MISCELLANEOUS AMENDMENTS

1. The authority clause immediately following the table of contents is amended to read as follows:
AUTHORITY: §§ 730.1010 to 730.1035 issued under sec. 375, 52 Stat. 66, as amended; 7 U.S.C. 1375. Interpret or apply secs. 301, 353, 363, 52 Stat. 38, as amended, 61, as amended, 63, as amended, sec. 377, 70 Stat. 206, as amended, sec. 378, 72 Stat. 995; 7 U.S.C. 1301, 1353, 1363, 1377, 1378.
2. Section 730.1011(m) is amended by changing the word "Rapidees" to "Rapides."
3. In the last sentence of § 730.1020, "\$ 730.1035" is amended to read "\$ 730.1034."
4. In § 730.1029(b) the language "in any other farm" is amended to read "on any other farm."

MISCELLANEOUS CORRECTIONS

1. In § 730.1011(m) insert a comma after the word "Grant."
2. In the second sentence of § 730.1011 (n) the word "allotment" should read "allotments."
3. In the first sentence of § 730.1016 (b)(4), the word "many" should read "may."
4. In the proviso in § 730.1027(c) (2) the word "total" should be deleted.

Issued this 22d day of January 1959.
[SEAL] TRUE D. MORSE,
Acting Secretary.
[F.R. Doc. 59-696; Filed, Jan. 26, 1959; 8:49 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission
[Docket 7203]
PART 13—DIGEST OF CEASE AND DESIST ORDERS
Barbey Packing Corp. et al.
Subpart—Discriminating in price under section 2, Clayton Act, as amend-

ed—Payment or acceptance of commission, brokerage, or other compensation under 2(c): § 13.820 *Direct buyers*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 38 Stat. 730, as amended; 15 U.S.C. 13) [Cease and desist order, Barbey Packing Corporation et al., Astoria, Oreg., Docket 7203, Dec. 11, 1958]

In the Matter of Barbey Packing Corporation, a Corporation, and Graham J. Barbey, and Henry J. Barbey, as Individuals and as Officers of Said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging packers of salmon and other sea food in Astoria, Oregon, with violating the brokerage section of the Clayton Act by reducing their selling prices to direct buyers in the approximate amount of commissions which would have been paid to brokers.

After acceptance of an agreement containing consent order, the hearing examiner made his initial decision and order to cease and desist which became on December 11, 1958, the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That Barbey Packing Corporation, a corporation, and its officers, and Graham J. Barbey and Henry J. Barbey, individually and as officers of said respondent corporation, and respondents' agents, representatives or employees, directly or through any corporate or other device, in connection with the sale of seafood products in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

Paying, granting, or allowing, directly or indirectly, to any buyer, or to anyone acting for or in behalf of, or who is subject to the direct or indirect control of such buyer, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon or in connection with any sale of seafood products to such buyer for his own account.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondents Barbey Packing Corporation, a corporation, and Graham J. Barbey and Henry J. Barbey, as individuals and as officers of said corporation, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: December 11, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-372; Filed, Jan. 26, 1959;
8:45 a.m.]

[Docket 7210]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Point Adams Packing Co. et al.

Subpart—*Discriminating in price under section 2, Clayton Act, as amended*—Payment or acceptance of commission, brokerage, or other compensation under 2(c): § 13.817 *Cutting primary brokerage*; § 13.822 *Lowered price to buyers*; [Discriminating in price under section 2, Clayton Act, as amended]—Payment for services or facilities for processing or sale under 2(d): § 13.824 *Advertising expenses*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 2, 38 Stat. 730, as amended; 15 U.S.C. 13) Cease and desist order, Point Adams Packing Co. (Hammond, Ore.) et al., Docket 7210, Dec. 5, 1958]

In the Matter of Point Adams Packing Co., a Corporation, and Charles L. Rogers, Sr., Individually and as an Officer of Point Adams Packing Co.; Trubenbach & Scheffold, Inc., a Corporation; and Edward H. Trubenbach and Joseph W. Scheffold, Individually and as Officers of Trubenbach & Scheffold, Inc.

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a canner of sea foods in Hammond, Oreg., and a broker in New York City, with violating the brokerage section of the Clayton Act by reducing the net price to certain buyers by reduction of brokerage, by passing on payments out of brokerage as rebates for part of advertising or promotional allowances, and by passing on a part of the brokerage by agreement between the seller and broker to share one-half of price reductions granted in the form of promotional allowances; and with violating sec. 2(d) of the Act by making special advertising allowances to certain favored customers but not to their competitors.

After acceptance of an agreement containing consent order, the hearing examiner made his initial decision and order to cease and desist which became on December 5 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That Point Adams Packing Co., a corporation, and its officers, and Charles L. Rogers, Sr., individually and as an officer of said corporation, and respondents' agents, representatives, or employees, directly or through any corporate or other device in connection with the sale of seafood products in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

1. Paying, granting, or allowing, directly or indirectly to any buyer, or to anyone acting for or in behalf of, or who is subject to the direct or indirect control of such buyer, anything of value as a

commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon or in connection with any sale of seafood products to such buyer for his own account.

2. Making or contracting to make, to or for the benefit of any customer, any payment of anything of value as compensation or in consideration for any advertising or promotional allowances, or other services or facilities furnished by or through such customer, in connection with the handling, offering for resale, or resale of seafood products sold to him by respondents, unless such payment is affirmatively offered or otherwise made available on proportionally equal terms to all other customers competing in the distribution or resale of such seafood products.

It is further ordered, That Trubenbach & Scheffold, Inc., a corporation, and its officers, and Edward H. Trubenbach and Joseph W. Scheffold, individually and as officers of said corporation, and respondents' agents, representatives, or employees, directly or through any corporate or other device in connection with the sale of seafood or other food products in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

Paying, granting, or passing on, either directly or indirectly to any buyer, or to anyone acting for or in behalf of or who is subject to the direct or indirect control of such buyer, all or any part of brokerage earned or received by respondents on sales made for their packer-principals, by allowing to buyers lower prices which reflect all or any part of such brokerage, or by granting them promotional, advertising, or other allowances or rebates out of said earned brokerage, or as payment in lieu of brokerage, or by any other method or means.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is further ordered, That the respondents, Point Adams Packing Co., a corporation, and Charles L. Rogers, Sr., individually and as an officer of said corporation, and Trubenbach & Scheffold, Inc., a corporation, and Edward H. Trubenbach and Joseph W. Scheffold, individually and as officers thereof, shall, within sixty (60) days after service upon them of this decision, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order contained in the aforesaid initial decision.

Issued: December 5, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-671; Filed, Jan. 26, 1959;
8:45 a.m.]

[Docket 7077]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

B & C Distributors Co. et al.

Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1880 Old, used, reclaimed, or reused as unused or new; § 13.1886 Quality, grade or type of product.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, B & C Distributors Co. et al., Paterson, N.J., Docket 7077, Dec. 13, 1958]

In the Matter of B & C Distributors Co., a Corporation, Revere Labs., Inc., a Corporation, Philip L. Bornstein and Celia Bornstein, Individually and as Officers of B & C Distributors Co. and Revere Labs., Inc., and Edward Chernela, Individually and as an Officer of B & C Distributors Co.

This proceeding was heard by a hearing examiner on the complaint of the Commission charging two associated corporate distributors and their officers with selling a large number of used, pull-out, factory reject, JAN surplus radio and television tubes, principally to jobbers, without disclosing on the tube, box, carton, invoice, or in advertising, the nature of the tube.

All except one individual respondent signed a consent order on November 18, 24 F.R. 233. No appearance having been made by said individual at a hearing on the issues, the instant order—identical to that consented to by the other respondents—was entered by the Commission by default on December 13.

The order to cease and desist is as follows:

It is ordered, That respondent Edward Chernela, individually and as an officer of B & C Distributors Co., a corporation, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of television or radio tubes in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Selling, offering for sale, or distributing used, pull-outs, factory rejects or JAN surplus radio or television tubes without clearly disclosing on the tubes or on individual cartons in which each tube is packaged when sold this way, and in advertising, invoices and shipping memoranda that they are used, pull-outs, factory rejects, or JAN surplus tubes as the case may be;
2. Selling, offering for sale, or distributing any radio or television tube which is not new or first quality without clearly and conspicuously disclosing that fact on the tube or the individual carton in which such tube is packaged when sold this way, and in advertising, invoices and shipping memoranda.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondent Edward Chernela, individually and as an officer of B & C Distributors Co., shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with the order to cease and desist.

Issued: December 12, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-673; Filed, Jan. 26, 1959; 8:45 a.m.]

Title 19—CUSTOMS DUTIES

**Chapter I—Bureau of Customs,
Department of the Treasury**

[T.D. 54771]

**PART 8—LIABILITY FOR DUTIES;
ENTRY OF IMPORTED MERCHANDISE**

**Release on Unexamined and
Examined packages**

To permit earlier release of importations by customs and conserve manpower, it is desirable that examiners be permitted to release unexamined as well as examined packages in shipments examined by them at a place not in charge of a customs officer. Such permission will often save the detail of a customs inspector to the place of examination to release the unexamined merchandise. Accordingly, the Customs Regulations are amended as follows:

1. Section 8.28(b) is amended by changing the period at the end to a colon and adding: "Provided, That the collector may authorize the appraiser to permit an examiner to release both examined and unexamined packages in a shipment examined by such officer at a place not in charge of a customs officer, when this can be done without any real interference with the performance of the examiner's regular duties."

(Secs. 484, 505, 623, 46 Stat. 722, as amended, 732, 759, as amended; 19 U.S.C. 1484, 1505, 1623)

2. Section 8.29(b) is amended by adding the following at the end: "See § 8.28(b)."

(Secs. 499, 505, 623, 46 Stat. 728, as amended, 732, 759, as amended; 19 U.S.C. 1499, 1505, 1623)

(R.S. 161, 251, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 66, 1624)

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: January 20, 1959.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 59-683; Filed, Jan. 26, 1959; 8:47 a.m.]

**Title 26—INTERNAL REVENUE,
1954**

**Chapter I—Internal Revenue Service,
Department of the Treasury**

[T.D. 6358]

**PART 42—FACILITIES AND SERVICES
EXCISE TAXES**

**Exemption From Tax on Transportation
of Persons for Small Aircraft on
Nonestablished Lines**

On December 5, 1958, notice of proposed rule making regarding the amendment of § 42.4263 of the Facilities and Services Excise Tax Regulations (26 CFR Part 42) to conform such regulations to section 134 of the Excise Tax Technical Changes Act of 1958 (72 Stat. 1292), relating to the exemption from the tax imposed by section 4261 of amounts paid for transportation of persons on small aircraft operating on non-established lines was published in the FEDERAL REGISTER (23 F.R. 9456). No objection to the rules proposed having been received during the 15-day period prescribed in the notice, the regulations as so published are hereby adopted as set forth below.

(68A Stat. 917; 26 U.S.C. 7805)

[SEAL] O. GORDON DELK,
Acting Commissioner
of Internal Revenue.

Approved: January 22, 1959.

FRED C. SCRIBNER, Jr.,
Acting Secretary of the Treasury.

In order to conform the Facilities and Services Excise Tax Regulations (26 CFR Part 42) to section 134 of the Excise Tax Technical Changes Act of 1958 (72 Stat. 1292), such regulations are amended by adding immediately preceding § 42.4264 (a) the following new sections:

§ 42.4263(f) Statutory provisions; exemptions; small aircraft on nonestablished lines.

Sec. 4263. Exemptions. * * *
(f) Small aircraft on nonestablished lines. The tax imposed by section 4261 shall not apply to transportation by aircraft having—

- (1) A gross takeoff weight (as determined under regulations prescribed by the Secretary or his delegate) of less than 12,500 pounds, and
- (2) A passenger seating capacity of less than 10 adult passengers, including the pilot, except when such aircraft is operated on an established line.

[Sec. 4263 (f) as added by sec. 134, Excise Tax Technical Changes Act 1958 (72 Stat. 1292)]

§ 42.4263(f)—1 Exemption of small aircraft on nonestablished lines from the tax on the transportation of persons imposed under section 4261.

- (a) In general. Amounts paid for the transportation of persons on a small aircraft of the type sometimes referred to as "air taxis" shall be exempt from the tax imposed under section 4261 provided the aircraft (1) has a gross take-off

weight of less than 12,500 pounds determined as provided in paragraph (b) of this section and (2) has a passenger seating capacity of less than 10 adult passengers, including the pilot. The exemption does not apply, however, if the aircraft is operated on an established line.

(b) *Determination of gross take-off weight.* The term "gross take-off weight of less than 12,500 pounds" means a maximum certificated take-off weight of less than 12,500 pounds. This shall be based on the maximum certificated take-off weight shown in the aircraft operating record or aircraft flight manual which is part of the air worthiness certificate issued by the Civil Aeronautics Administration.

(c) *Established line.* The term "operated on an established line" means operated with some degree of regularity between definite points. It does not necessarily mean that strict regularity of schedule is maintained; that the full run is always made; that a particular route is followed; or that intermediate stops are restricted. The term implies that the person rendering the service maintains and exercises control over the direction, route, time, number of passengers carried, etc.

(d) *Effective date of exemption.* The exemption provided under section 4263 (f) has application only to the transportation of persons on or after January 1, 1959.

[F.R. Doc. 59-687; Filed, Jan. 26, 1959; 8:47 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 541—DEFINING AND DELIMITING THE TERMS "ANY EMPLOYEE EMPLOYED IN A BONA FIDE EXECUTIVE, ADMINISTRATIVE, PROFESSIONAL OR LOCAL RETAILING CAPACITY, OR IN THE CAPACITY OF OUTSIDE SALESMAN"

Miscellaneous Amendments

On November 18, 1958, Subpart A, Part 541, was amended (23 F.R. 8962) to show increases in salary requirements for bona fide executive, administrative and professional employees under the Fair Labor Standards Act of 1938. Such salary requirements are established in Subpart A, Part 541, as conditions, among others, for exemption from the minimum wage and overtime requirements of the Fair Labor Standards Act, under section 13(a)(1) of that Act. As a result it is now necessary to amend Subpart B, Part 541, to be consistent with Subpart A, since Subpart B contains material explaining and illustrating the terms of Subpart A.

Therefore, pursuant to section 3 of the Administrative Procedure Act (60 Stat. 238, 5 U.S.C. 1003), and under the authority contained in section 13(a)(1) of the Fair Labor Standards Act of 1938 (52 Stat. 1067, as amended; 29 U.S.C. 213), Reorganization Plan No. 6 of 1950 (3 CFR, 1950 Supp., p. 165), and General Order No. 45-A (15 F.R. 3290) of

the Secretary of Labor, Subpart B, Part 541 of Title 29, Code of Federal Regulations is amended as follows:

1. Paragraph (f) in § 541.100 is amended to read as follows:

(f) Who is compensated for his services on a salary basis at a rate of not less than \$80 per week (or \$55 per week if employed in Puerto Rico or the Virgin Islands) exclusive of board, lodging, or other facilities:

Provided, That an employee who is compensated on a salary basis at a rate of not less than \$125 per week (exclusive of board, lodging, or other facilities), and whose primary duty consists of the management of the enterprise in which he is employed or of a customarily recognized department or subdivision thereof, and includes the customary and regular direction of the work of two or more other employees therein, shall be deemed to meet all of the requirements of this section.

2. Paragraph (a) of § 541.117 is amended to read as follows:

(a) Compensation on a salary basis at a rate of not less than \$80 per week is required for exemption as an executive.⁵ The \$80 a week may be translated into equivalent amounts for periods longer than one week. The requirement will be met if the employee is compensated biweekly on a salary basis of \$160, semimonthly on a salary basis of \$173.33 or monthly on a salary basis of \$346.67. However, the shortest period of payment which will meet the requirement of payment "on a salary basis" is a week.

3. Paragraph (b) of § 541.117 is amended to read as follows:

(b) In Puerto Rico and the Virgin Islands, the salary test for exemption as an "executive" is \$55 a week.

4. Footnote number 6 is deleted.

5. Paragraph (b) of § 541.118 is amended by substituting the figure \$80 for the figure \$55 where it appears in the third and the last sentences of the paragraph, and by substituting the figure \$125 for the figure \$100 in the last sentence of the paragraph.

6. Paragraph (a) of § 541.119 is amended by substituting the figure \$125 for the figure \$100 where it appears in the first sentence of the paragraph, and a footnote numbered 6 is referenced at the end of the paragraph.

7. A new footnote number 6 is added to read as follows:

⁶This special proviso is applicable to all employees covered by the Act, including those in Puerto Rico and the Virgin Islands.

8. Paragraph (e) in § 541.200 is amended to read as follows:

(e) Who is compensated for his services on a salary or fee basis at a rate of not less than \$95 per week (or \$70 per week if employed in Puerto Rico or the Virgin Islands) exclusive of board, lodging, or other facilities:

Provided, That an employee who is compensated on a salary or fee basis at a rate of not less than \$125 per week (exclusive of board, lodging, or other facilities), and whose

⁵The validity of including a salary requirement in the regulations in Subpart A of this part has been sustained in a number of appellate court decisions. See, for example, *Walling v. Yeakley*, 140 F.(2) 830 (CCA 10); *Helliwall v. Haberman*, 140 F.(2) 833 (CCA 2); and *Walling v. Morris*, 155 F.(2) 832 (CCA 6) (reversed on another point in 332 U.S. 442).

primary duty consists of the performance of office or nonmanual field work directly related to management policies or general business operations of his employer or his employer's customers, which includes work requiring the exercise of discretion and independent judgment, shall be deemed to meet all of the requirements of this section.

9. Paragraph (a) of § 541.211 is amended to read as follows:

(a) Compensation on a salary or fee basis at a rate of not less than \$95 a week (exclusive of board, lodging, or other facilities) is required for exemption as an "administrative" employee. The requirement will be met if the employee is compensated biweekly on a salary basis of \$190, semimonthly on a salary basis of \$205.83, or monthly on a salary basis of \$411.67.

10. Paragraph (b) of § 541.211 is amended to read as follows:

(b) In Puerto Rico and the Virgin Islands the required compensation is \$70 a week (exclusive of board, lodging, or other facilities) on a salary or fee basis.

11. Footnote 10 is deleted.

12. Section 541.214 is amended by substituting the figure \$125 for the figure \$100 where it appears in the first sentence of the paragraph and a footnote numbered 10 is referenced at the end of the paragraph.

13. A new footnote 10 is added to read as follows:

¹⁰This special proviso is applicable to all employees covered by the Act, including those in Puerto Rico and the Virgin Islands.

14. Paragraph (e) in § 541.300 is amended to read as follows:

(e) Who is compensated for his services on a salary or fee basis at a rate of not less than \$95 per week (or \$70 per week if employed in Puerto Rico or the Virgin Islands) exclusive of board, lodging, or other facilities: *Provided,* That this paragraph shall not apply in the case of an employee who is the holder of a valid license or certificate permitting the practice of law or medicine or any of their branches and who is actually engaged in the practice thereof;

Provided, That an employee who is compensated on a salary or fee basis at a rate of not less than \$125 per week (exclusive of board, lodging, or other facilities), and whose primary duty consists of the performance of work either requiring knowledge of an advanced type in a field of science or learning, which includes work requiring the consistent exercise of discretion and judgment, or requiring invention, imagination, or talent in a recognized field of artistic endeavor, shall be deemed to meet all of the requirements of this section.

15. Paragraph (a) of § 541.311 is amended to read as follows:

(a) Compensation on a salary or fee basis at a rate of not less than \$95 per week (exclusive of board, lodging, or other facilities) is required for exemption as a "professional" employee. An employee will meet the requirement if he is paid a biweekly salary of \$190, a semimonthly salary of \$205.83, or a monthly salary of \$411.67.

16. Paragraph (b) of § 541.311 is amended to read as follows:

(b) In Puerto Rico and the Virgin Islands the required salary is \$70 a week

(exclusive of board, lodging, or other facilities) on a salary or fee basis.

17. Footnote 12 is deleted.

18. Paragraph (c) of § 541.313 is amended by substituting the figure \$95 for the figure \$75 where it appears in the first and last sentences of the paragraph.

19. Subparagraph (1), paragraph (d) of § 541.313 is amended to read as follows:

(1) A singer receives \$25 for a song on a 15-minute program (no rehearsal time is involved). Obviously the requirement will be met since the employee would earn \$95 at this rate of pay in far less than 40 hours.

20. Subparagraph (2), paragraph (d) of § 541.313 is amended to read as follows:

(2) An artist is paid \$50 for a picture. Upon completion of the assignment, it is determined that the artist worked 20 hours. Since earnings at this rate would yield the artist \$100 if 40 hours were worked, the requirement is met.

21. Subparagraph (3), paragraph (d) of § 541.313 is amended to read as follows:

(3) An illustrator is assigned the illustration of a pamphlet at a fee of \$120. When the job is completed, it is determined that the employee worked 60 hours. If he worked 40 hours at this rate, the employee would have earned only \$80. The fee payment of \$120 for work which required 60 hours to complete therefore does not meet the requirement of payment at a rate of \$95 per week and the employee must be considered nonexempt. It follows that if in the performance of this assignment the illustrator worked in excess of 40 hours in any week, overtime rates must be paid. Whether or not he worked in excess of 40 hours in any week, records for such an employee would have to be kept in accordance with the regulations covering records for nonexempt employees (Part 516 of this chapter).

22. Section 541.315 is amended by substituting the figure \$125 for the figure \$100 in the first sentence of the paragraph, and a footnote numbered 12 is referenced at the end of the paragraph.

23. A new footnote 12 is added to read as follows:

¹² This special proviso is applicable to all employees covered by the Act, including those in Puerto Rico and the Virgin Islands.

24. Paragraph (a) of § 541.600 is amended by substituting the figure \$95 for the figure \$75 in the third sentence of the paragraph, and by substituting the figure \$80 for the figure \$55 in the fourth sentence of the paragraph.

(Sec. 13, 52 Stat. 1067, as amended; 29 U.S.C. 213)

This amendment shall become effective on February 2, 1959.

Signed at Washington, D.C., this 21st day of January 1959.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 59-689; Filed, Jan. 26, 1959; 8:48 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 6—UNITED STATES GOVERNMENT LIFE INSURANCE

PART 8—NATIONAL SERVICE LIFE INSURANCE

Miscellaneous Amendments

1. In Part 6, paragraphs (a) and (d) of § 6.62 are amended to read as follows:

§ 6.62 Assignment, claims of creditors and taxation.

(a) The proceeds of a United States Government insurance policy shall not be assignable except that any person to whom such insurance shall be payable may assign his interest in such insurance to the spouse, child, grandchild, parent, brother, sister, uncle, aunt, nephew, niece, brother-in-law, or sister-in-law of the insured. No such assignment of a United States Government life insurance policy shall be binding upon the United States unless in writing and until filed in the Veterans Administration. The United States assumes no responsibility for the validity of any assignment.

(d) Effective January 1, 1958, payments of insurance to a beneficiary under a United States Government life insurance policy shall be subject to levy for taxes due the United States by such beneficiary.

(Sec. 3101(c) of Title 38, U.S.C.)

2. Immediately following § 6.69 a new § 6.70 is added as follows:

§ 6.70 Selection of optional settlements for minors and incompetents.

When an optional mode of settlement of United States Government life insurance heretofore or hereafter matured is available to a beneficiary who is a minor or incompetent, such option may be exercised by his fiduciary, person qualified under section 14 of Title 25, United States Code, or person recognized by the Administrator as having custody of the person or the estate of such beneficiary, and the obligation of the United States under the insurance contract shall be fully satisfied by payment of benefits in accordance with the mode of settlement so selected.

(72 Stat. 1165; 38 U.S.C. 783)

3. In Part 8, the headnote of paragraph (a) of § 8.77 is amended to read as follows:

§ 8.77 Election of optional settlement by beneficiary.

(a) Insurance maturing on or after August 1, 1946 except insurance granted under section 722(b) of Title 38, United States Code. * * *

4. Immediately following § 8.115, a new centerhead is added to read "National Service Life Insurance Granted Under Section 722(b) of Title 38, United States Code."

5. A new § 8.116 is added as follows:

§ 8.116 National Service life insurance granted under section 722(b) of Title 38, United States Code.

(a) Any person who is shown by evidence satisfactory to the Administrator to have been eligible to be granted National Service life insurance, on or after April 25, 1951, under the provisions of section 620 of the National Service Life Insurance Act or section 722(a) of Title 38, United States Code, but who died without a valid application having been filed for such insurance shall be deemed to have applied for and to have been granted such insurance as of the date of death, in an amount which, together with any other National Service life insurance or United States Government life insurance in force or servicemen's indemnity, shall aggregate \$10,000 provided the following conditions are met:

(1) Such person is determined to have been mentally incompetent from a service-connected disability, (i) at the time of release from active service, or (ii) during any part of the one year period from the date such person is first determined by the Veterans Administration, by a rating made subsequent to discharge, to be suffering from a service-connected disability, or (iii) after release from active service but is not rated service-connected disabled by the Veterans Administration until after death, and

(2) Such person is determined to have remained continuously so mentally incompetent, (i) from the date of release from active service until date of death, or (ii) from the date such person is determined to have been mentally incompetent during the one year period until date of death, or (iii) if not rated until after death, from the date the mental incompetency began until date of death, and

(3) Such person is shown to have died before the appointment of a guardian or within one year after the appointment of a guardian.

The date to be used for determining whether such person was insurable according to the standards of good health established by the Administrator, except for the service-connected disability or disabilities, shall be the date of release from active service or the date the person became mentally incompetent, whichever is the later.

(b) Written application for payment of insurance granted under section 722(b) of Title 38, United States Code, must be filed with the Veterans Administration by person or persons initially entitled to such payment, within two years after the date of death of the insured or before January 1, 1961, whichever is the later: *Provided*, That if the person initially entitled fails to file valid application and dies (or remarries, if such person is the insured's spouse) within the two-year period, the beneficiary next entitled has the right to file application within such period: *Provided further*, That if the person entitled to file application is shown to have been mentally or legally incompetent at the time the right to file application for such

death benefits expires, application may be made at any time within one year after the removal of such disability. The death of the insured, the relationship and age of the claimant as of the date of death of the insured, must be established.

(c) Insurance granted under section 722(b) shall be payable only to the following permitted class of beneficiaries and in the order named:

(1) Widow (widower) of the insured (lawful spouse of the insured at the maturity of the insurance), if living and while unremarried.

(2) Child or children of the insured (legitimate and adopted child), if living, in equal shares.

(3) Parent or parents who last bore such relationship to the insured (including a parent by adoption and persons who stood in loco parentis to the insured for a period of not less than one year at any time prior to entry into active service), if living, in equal shares.

(d) Insurance granted under section 722(b) shall be payable at the election of the first beneficiary as follows:

(1) In 240 equal monthly installments at the rate of \$5.16 per month for each \$1,000 of insurance, but, if the first beneficiary dies (or remarries, if the first beneficiary is the insured's spouse) before 240 monthly installments have been paid, the remaining unpaid monthly installments will be payable to the beneficiary or beneficiaries next entitled within the permitted class, or

(2) In equal monthly installments for the life of the first beneficiary in accordance with the table of monthly installments set forth in option 3 of § 8.80, but, if such beneficiary dies (or remarries, if the first beneficiary is the insured's spouse) before 120 installments certain have been paid; the remaining unpaid monthly installments certain will be payable to the beneficiary or beneficiaries next entitled within the permitted class, or

(3) As a refund life income in monthly installments, as set forth in the table under option 4 of § 8.80 payable throughout the lifetime of the first beneficiary, but, if such beneficiary dies (or remarries, if the first beneficiary is the insured's spouse) before payment of the number of installments certain, as provided in such table, the remaining unpaid monthly installments payable for such period certain as may be required in order that the sum of the installments certain (including a last installment of such reduced amount as may be necessary) shall equal the face value of the insurance less any indebtedness, will be payable to the beneficiary or beneficiaries next entitled within the permitted class. The law does not authorize settlement under this option in any case in which less than 120 installments may be paid.

(e) A change in the mode of settlement is not authorized in any case in which payment has commenced, and settlement under any one of the options shall be in full and complete discharge of all liability.

(f) Upon filing of a valid application and submission of the required proof by the beneficiary first entitled to payment

of insurance granted under section 722(b), the monthly installments without interest, which have accrued since the death of the insured (the first installment being due on the date of death of the insured) and the monthly installments which thereafter become payable shall be paid to the beneficiary or beneficiaries entitled. Upon due proof of death of the first beneficiary after payment has been made of at least one installment of insurance granted under section 722(b), the remaining unpaid monthly installments certain in the same amount shall be paid to the person or persons next entitled as beneficiary until all installments certain have been paid.

(g) The right of any beneficiary to payment of any installments shall be conditioned upon his or her being alive to receive such payment. No person shall have a vested right to any installment or installments of insurance granted under section 722(b) and no installment of such insurance shall be paid to the heirs, creditors, or legal representatives as such of the insured or of any beneficiary except as provided in § 8.60. If no person within the permitted class of beneficiaries survives to receive the insurance or any part thereof, no payment of the unpaid installments shall be made.

(h) All payments of National Service life insurance granted under section 722(b) shall be made directly from the Service-Disabled Veterans' Insurance Fund in the Treasury of the United States.

(72 Stat. 1156; 38 U.S.C. 722)

(72 Stat. 1114; 38 U.S.C. 210)

This regulation is effective January 1, 1959.

[SEAL] ROBERT J. LAMPHERE,
Assistant Deputy Administrator.

[F.R. Doc. 59-688; Filed, Jan. 26, 1959;
8:47 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 20—SPECIAL REGULATIONS

Grand Teton National Park

By notice of proposed rule making published in the FEDERAL REGISTER on October 7, 1958 (23 F.R. 7729), interested persons were invited to submit written comments, suggestions, or objections on the proposed amendment, by the Superintendent thereof, of the Grand Teton National Park, Wyoming, special regulations. Such written comments, suggestions, or objections were required to be filed with the Superintendent of Grand Teton National Park, Moose, Wyoming, within thirty days from the publication of the notice in the FEDERAL REGISTER.

No comments, suggestions, or objections having been received in response to the said notice, the following amendment, to become effective upon publication in the FEDERAL REGISTER, is adopted:

1. Paragraph (a) of § 20.22 *Grand Teton National Park* is amended to read as follows:

(a) *Speed.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed the speed limits listed below for the following designated roads:

(1) Jenny Lake Road, 35 miles per hour.

(2) Wilson Road, 25 miles per hour.

(3) Signal Mountain Road, 20 miles per hour.

2. Paragraph (b) (1) (ii) of § 20.22, is amended to read as follows:

(ii) Jackson Lake shall be open during the calendar year except from September 20 through November 14.

3. New paragraphs (d) and (e) are hereby added to § 20.22:

(d) *Camping.* No person, party or organization shall be permitted to camp more than 30 days in any one calendar year in each of the following campgrounds: Colter Bay, Jackson Lake, Pelican Bay and Lizard Point campgrounds. Camping in the Jenny Lake campground shall not exceed 10 days in any calendar year.

(e) *House Trailers.* The Jenny Lake and Colter Bay campgrounds are closed to house trailers.

(Sec. 3, 39 Stat. 535, as amended; 16 U.S.C., 1952 ed., Sec. 3)

Issued this 23d day of December 1958.

[SEAL] FRANK R. OBERHANSLEY,
Superintendent,
Grand Teton National Park.

[F.R. Doc. 59-676; Filed, Jan. 26, 1959;
8:46 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service

[7 CFR Part 728]

WHEAT

Notice of Determination To Be Made With Respect to Formulation of Regulations Pertaining to Farm Acreage Allotments for 1960 and Subsequent Crops

Pursuant to the authority contained in applicable provisions of the Agricultural Adjustment Act of 1938, as amended, (7 U.S.C. 1301, 1332, 1333, 1334, 1335), the Secretary of Agriculture is preparing to formulate regulations for establishing farm acreage allotments for the 1960 and subsequent crops of wheat.

Section 334(c) of the act requires that the allotment to the county for any year shall be apportioned among the farms within the county on the basis of past acreage of wheat, tillable acres, crop-rotation practice, types of soil and to-

pography, and provides that not more than three per centum of the State allotment for any year shall be apportioned to farms on which wheat has not been planted for harvest as grain during any of the three marketing years immediately preceding the marketing year in which the allotment is made.

Section 334(g) of the act, as added by section 2 of Public Law 1021, 84th Congress, provides that if the county committee determines that any farmer is prevented from seeding wheat for harvest as grain in his usual planting season because of unfavorable weather conditions and the operator of the farm notifies the ASC county committee not later than December 1, in any area where only winter wheat is grown or June 1, in the spring wheat area that he does not intend to seed his full wheat allotment because of the unfavorable weather conditions, the entire wheat allotment for such year shall be regarded as wheat acreage for the purpose of establishing future State, county, and farm acreage allotments, but that the provision shall not be applicable in any case in which the amount of wheat of a prior crop required to be stored to avoid or postpone payment of penalty has been reduced because the allotment was not fully planted or because of producing less than the normal production of the farm wheat acreage allotment.

Section 334(h) of the act, as added by section 2 of Public Law 85-203, provides that "notwithstanding any other provision of law, no acreage in the commercial wheat-producing area seeded to wheat for harvest as grain in 1958 or thereafter in excess of acreage allotments shall be considered in establishing future State, county, and farm acreage allotments. The planting on a farm in the commercial wheat-producing area of wheat of the 1958 or any subsequent crop for which no farm wheat acreage allotment was established shall not make the farm eligible for an allotment as an old farm pursuant to the first sentence of subsection (c) of this section nor shall such farm by reason of such planting be considered ineligible for an allotment as a new farm under the second sentence of such subsection."

Section 334(c) of the act, as amended by Public Law 85-366, also provides that "For the purpose of establishing farm acreage allotments, (i) the past acreage of wheat on any farm for 1958 shall be the base acreage determined for the farm under the regulations issued by the Secretary for determining 1958 farm wheat acreage allotments, (ii) if subsequent to the determination of such base acreage the 1958 wheat acreage allotment for the farm is increased through administrative, review, or court proceedings, the 1958 farm base acreage shall be increased in the same proportion, and (iii) the past acreage of wheat for 1959 and any subsequent year shall be the wheat acreage on the farm which is not in excess of the farm wheat acreage allotment, plus, in the case of any farm which is in compliance with its farm wheat acreage allotment, the acreage diverted under such wheat allotment programs: *Provided*, That for 1959 and

subsequent years in the case of any farm on which the entire amount of the farm marketing excess is delivered to the Secretary or stored in accordance with applicable regulations to avoid or postpone payment of the penalty, the past acreage of wheat for the year in which such farm marketing excess is so delivered or stored shall be the farm base acreage of wheat determined for the farm under the regulations issued by the Secretary for determining farm wheat acreage allotments for such year, but if any part of the amount of wheat so stored is later depleted and penalty becomes due by reason of such depletion, for the purpose of establishing farm wheat acreage allotments subsequent to such depletion the past acreage of wheat for the farm for the year in which the excess was produced shall be reduced to the farm wheat acreage allotment for such year."

Section 106(a) of Public Law 540, 84th Congress, provides that in the future establishment of State, county, and farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended, reserve acreages under the soil bank acreage reserve program applicable to any commodity shall be credited to the State, county, and farm as though such acreage had actually been devoted to the production of the commodity. Section 106(b) of Public Law 540 provides that in applying the provisions of paragraph (6) of Public Law 74, 77th Congress, relating to reduction of the storage amounts of wheat, the reserve acreage of the commodity on any farm shall be regarded as wheat acreage.

Section 377 of the act provides that in any case in which, during any year within the period 1956 to 1959, inclusive, for which acreage planted to such commodity on any farm is less than the acreage allotment for such farm, the entire acreage allotment for such farm shall be considered for purposes of future State, county and farm acreage allotments to have been planted to such commodity in such year, except that for 1956, the entire allotment shall be considered as planted to the commodity for such purposes only if the owner or operator of such farm notifies the county committee prior to the sixtieth day preceding the beginning of the marketing year for such commodity of his desire to preserve such allotment. This section is not applicable in any case in which the amount of the commodity required to be stored to postpone or avoid payment of the penalty has been reduced because the allotment was not fully planted.

It is proposed that the regulations for establishing farm acreage allotments for the 1960 and subsequent crops of wheat will cover substantially the same matters as those for the 1959 crop of wheat (23 F.R. 1672, 3511).

It is proposed to define the wheat acreage history of any farm for any year as the wheat acreage on the farm for such year, plus the acreage, if any, diverted from the production of wheat under the applicable agricultural adjustment and conservation programs during such year, but that in accordance with Public Law 85-366, (1) the wheat history acreage for

1958 for any farm shall be the 1958 base acreage established for the farm, except where the farm is covered by a feed wheat exemption under Public Law 85-203, and (2) for 1959 or any subsequent year, the wheat history acreage for any farm on which the farm marketing excess is delivered to the Secretary or stored to avoid or postpone payment of the penalty shall be the base acreage for such year determined under the regulations in this part.

In determining farm acreage allotments, consideration will be given as to whether or not to take into account the farm base acreage previously established for the farm in applying the statutory factors.

It is also proposed to eliminate the wheat-mixture exemption provision which exempts a mixture of wheat and other grains, grown in certain counties, from being classified as wheat acreage, if the mixture contains less than 50 per centum of wheat. Elimination of the wheat-mixture provision would have the effect of exempting from the classification of wheat acreage an acreage devoted to a mixture only if the mixture contains less than 25 per centum of wheat. In those counties where wheat mixtures have been grown the State, county and farm wheat history acreages would be increased to reflect the wheat-mixture acreage history.

It is expected that the regulations referred to herein will be issued on a continuing basis, except for changes which are necessary for further clarification, or changes which may become necessary to incorporate new provisions of law.

Prior to the issuance of the regulations in this part, any data, views, or recommendations pertaining thereto which are submitted in writing to the Director, Grain Division, Commodity Stabilization Service, United States Department of Agriculture, Washington 25, D.C., will be given consideration, provided such submissions are postmarked not later than 30 days from the date of publication of this notice in the *FEDERAL REGISTER*.

Issued this 22d day of January 1959.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 59-695, Filed, Jan. 26, 1959;
8:49 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 522]

EMPLOYMENT OF LEARNERS IN HOSIERY INDUSTRY

Notice of Proposed Rule Making

Pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1068 as amended, 29 U.S.C. 214), the Administrator has heretofore provided by regulations (29 CFR 522.40 to 522.43) for the employment of learners under special certificates in the Hosiery Industry at wages lower than the minimum wage applicable under section 6 of the Fair

Labor Standards Act of 1938 (52 Stat. 1062 as amended, 29 U.S.C. 206).

Based upon a re-examination of the regulations in the light of changes in wage levels, and administrative experience in the operation of the regulations since the promulgation of a \$1.00 statutory minimum under the Fair Labor Standards amendments of 1955 (69 Stat. 711), and after consultation with interested parties in the industry, the Administrator on his own motion in accordance with § 522.11 of 29 CFR Part 522, proposes to amend the learner regulations for the Hosiery Industry (29 CFR 522.40 to 522.43) by increasing the subminimum wage rates for all learner occupations by five cents, by increasing the subminimum wage rate presently authorized for workers with partial or full training who transfer to another learner occupation by five cents, and by dividing the learner occupation "boarding" into two classifications with separate learning periods.

In order that they conform to the above proposed amendments, it is also proposed to amend all outstanding learner certificates for this industry accordingly, as well as expired certificates under which learners are currently employed pursuant to § 522.6(c) of 29 CFR Part 522.

Therefore in accordance with section 4 of the Administrative Procedure Act (60 Stat. 238, 5 U.S.C. 1003), and under the authority of section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1068, as amended; 29 U.S.C. 214), Reorganization Plan No. 6 of 1950 (3 CFR, 1950 Supp., p. 165), and General Order No. 45-A (15 F.R. 3290), notice is hereby given that I propose to amend § 522.43 of 29 CFR Part 522, as follows:

§ 522.43 [Amendment]

1. Subparagraph (1), paragraph (a) of § 522.43 which relates to payment of subminimum wage rates to learners in the Seamless Branch of the Hosiery Industry is amended by deleting "80 cents" wherever this sum appears in the column headed "Subminimum rates", and inserting in lieu thereof "85 cents", and by deleting "87½ cents" wherever this sum appears in the column headed "Subminimum rates" and inserting in lieu thereof "92½ cents".

2. Subparagraph (1), paragraph (a) of § 522.43 is further amended by adding the phrase "women's nylon only" after the learner occupation "Boarding" where it appears in the column headed "Learner Occupations", and by adding a new occupation of "Boarding, other than women's nylon" as the last learner occupation in this subparagraph under the column headed "Learner Occupations". The new occupation "Boarding, other than women's nylon" is to be included in the bracket of column 2 specifying a learning period of 240 hours.

3. Subparagraph (2), paragraph (a) of § 522.43 which relates to payment of subminimum wage rates to learners in the Full Fashioned Branch of the Hosiery Industry is amended by deleting "85 cents" wherever this sum appears in the column headed "subminimum rates" and

inserting in lieu thereof "90 cents", and by deleting "92½ cents" wherever this sum appears in the column headed "Subminimum rates" and inserting in lieu thereof "97½ cents".

4. Paragraph (d) of § 522.43 is amended to read as follows:

(d) A worker who has had full training in any authorized learner occupation may be transferred to any other learner occupation for a period not to exceed one-half of the learning period authorized for that occupation at not less than 92½ cents an hour in the seamless branch and not less than 97½ cents an hour in the full-fashioned branch. A worker who has had partial training in any authorized learner occupation may be transferred to any other learner occupation for either: (1) A period not to exceed one-half of the learning period authorized for that occupation, at not less than 92½ cents an hour in the seamless branch and not less than 97½ cents an hour in the full-fashioned branch; or (2) the balance of the number of hours permitted as a learning period for the occupation to which he or she is being transferred, at the applicable subminimum rates set forth in paragraph (a) of this section: *Provided, however*, That (i) no worker may be employed as a learner at learner rates in more than two authorized occupations; (ii) no worker who has completed the authorized learning period in the occupation of pairing may be employed as a learner at learner rates in the occupations of folding or inspection; and (iii) no worker who has completed the authorized learning period may be employed as a learner at learner rates when transferring from the seamless branch of the hosiery industry to the full-fashioned or from the full-fashioned branch to the seamless, if the worker is employed in the same occupation as that in which he or she has been previously employed.

5. A new section designated § 522.44 is added to read as follows:

§ 522.44 Amendment of certificates previously issued.

Pursuant to § 522.8, learners certificates heretofore issued in the Hosiery Industry shall be amended to restrict the employment of learners under such certificates to the limitations on their employment under new certificates which are expressed in § 522.43.

Prior to any final action on this proposal, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Administrator of the Wage and Hour and Public Contracts Divisions, United States Department of Labor, Washington 25, D.C., within 15 days from publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D.C., this 22d day of January 1959.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 59-690; Filed, Jan. 26, 1959; 8:48 a.m.]

[29 CFR Part 522]

EMPLOYMENT OF LEARNERS IN INDEPENDENT TELEPHONE INDUSTRY

Notice of Proposed Rule Making

Pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1068, as amended; 29 U.S.C. 214), the Administrator has heretofore issued regulations (29 CFR 522.70 to 522.74), for the employment of learners in the independent telephone industry under special certificates at wages lower than the minimum wage applicable under section 6 of the said Act.

These regulations have been re-examined in the light of administrative experience in the operation of the regulations since the effective date of the \$1.00 statutory minimum, and after consultation with interested parties in the industry. All relevant information available indicates that it is necessary to amend certain sections of the learner regulations applicable to these industries.

These amendments are proposed so as to provide: (1) A 240-hour learning period in exchanges of 3,000 stations or more; (2) an increase in present minimum learner rates, and (3) application of these amendments, as of their effective date, to learners employed pursuant to such special certificates.

Accordingly, notice is hereby given in accordance with section 4 of the Administrative Procedure Act (60 Stat. 238, 5 U.S.C. 1003) and pursuant to authority contained in section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1068, as amended; 29 U.S.C. 214), Reorganization Plan No. 6 of 1950 (64 Stat. 1263, 3 CFR, 1950 Supp., p. 165), and General Order No. 45-A (15 F.R. 3290) of the Secretary of Labor, that I propose to amend 29 CFR Part 522, as follows:

1. Section 522.73 is amended to read as follows:

§ 522.73 Learning period.

The maximum learning period which may be provided for any learner under a special certificate issued in this industry for employment in training for and in switchboard operating shall not extend beyond the first 480 hours of employment for exchanges of less than 3,000 stations and 240 hours for exchanges of 3,000 stations or more.

2. Section 522.74, paragraphs (a) and (b) are amended to read as follows:

§ 522.74 Subminimum rates.

(a) For exchanges of less than 3,000 stations the subminimum hourly rates to be provided in a special certificate for learners shall be not less than 85 cents an hour for the first 240 hours, and not less than 95 cents an hour for the remaining 240 hours of the learning period.

(b) For exchanges of 3,000 stations or more the subminimum hourly rate to be provided in a special certificate for learners shall be not less than 90 cents an hour for the entire 240 hour learning period.

3. Add a new section designated as § 522.75 to read as follows:

§ 522.75 Amendment of certificates previously issued.

Pursuant to § 522.8, learner certificates heretofore issued in the independent telephone industry shall be amended to restrict the employment of learners under such certificates to the limitations on their employment under new certificates which are expressed in §§ 522.73 and 522.74.

Prior to the final adoption of the proposed amendments, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D.C., within 15 days of the publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D.C., this 22d day of January 1959.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 59-691; Filed, Jan. 26, 1959;
8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition for Establishment of Tolerances for Residues of 1-Naphthyl N-Methylcarbamate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d) (1), 68 Stat. 512; 21 U.S.C. 346a(d) (1)), the following notice is issued:

A petition has been filed by Union Carbide Chemicals Company Division of Union Carbide Corporation, 30 East Forty-second Street, New York 17, New York, proposing the establishment of tolerances of 10 parts per million for residues of 1-naphthyl N-methylcarbamate in or on the following raw agricultural commodities: Grapes, pears, and sweet corn.

The analytical method proposed in the petition for determining residues of 1-naphthyl N-methylcarbamate is that described in the FEDERAL REGISTER of January 9, 1959 (24 F.R. 233).

Dated: January 20, 1959.

[SEAL] ROBERT S. ROE,
*Director, Bureau of
Biological and Physical Sciences.*

[F.R. Doc. 58-686; Filed, Jan. 26, 1959;
8:47 a.m.]

NOTICES

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[Order 40 (Revised)]

DISTRICT DIRECTORS OF INTERNAL REVENUE

Delegation of Authority To Make Credits and Refunds

Authority is hereby delegated to District Directors of Internal Revenue to make credits or refunds, within the applicable period of limitations, of overpayments in any amount, of any internal revenue tax, and allowable interest thereon, including those cases requiring a report to the Joint Committee on Internal Revenue Taxation.

The above authority to make credits and refunds shall be exercised only after compliance with all requirements of existing procedures for review.

The authority herein delegated may be redelegated.

This order supersedes Delegation Order No. 40 issued October 18, 1956 (21 F.R. 8304).

[SEAL]

DANA LATHAM,
Commissioner.

[F.R. Doc. 59-684; Filed, Jan. 26, 1959;
8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ARKANSAS

Notice of Proposed Withdrawal for Permanent Reservation of Certain Lands

JANUARY 21, 1959.

The Office of the Department of the Army, Corps of Engineers, Washington, D.C. (SWLRO), through the District Engineers at Little Rock, Arkansas, has filed application BLM 048272, for the withdrawal of certain public land located in Carroll County, Arkansas, hereafter described, from all forms of appropriation, entry, or sale under the public land laws, including the United States Mining and Mineral Leasing Laws, subject to valid existing rights.

The land is required for use in conjunction with the construction, operation, and maintenance of the Beaver Dam and Reservoir project, Arkansas.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Eastern States Land Office, Bureau of Land Management, Department of the Interior, Washington 25, D.C.

If circumstances warrant it, a hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The land involved in the application is:

5TH PRINCIPAL MERIDIAN, ARKANSAS

T. 20 N., R. 27 W.,
Sec. 10, S½ NE¼ NW¼.

The area described contains 20 acres.

H. K. SCHOLL,
Manager.

[F.R. Doc. 59-674; Filed, Jan. 26, 1959;
8:46 a.m.]

SPECIFIED CLASSES OF EMPLOYEES IN AREA 2

Redelegation of Authority

JANUARY 15, 1959.

Pursuant to the authority contained in section 1 of Order No. 615 of the Director, of the Bureau of Land Management, and Public Law 85-800, approved August 28, 1958, the following are authorized to enter into negotiated contracts for supplies, or services (including rental of equipment) as provided above, when the amount in any transaction does not exceed amounts indicated below:

State supervisors, Area 2:	
Equipment rental.....	\$2,000
Supplies and materials.....	2,000
District managers, Area 2:	
Equipment rental.....	1,000
Supplies and materials.....	1,000

Pursuant to authority stated above, the following are authorized to enter into contracts for construction, supplies (including rental of equipment) or services, irrespective of amount, and leases of space in real estate as provided in sections 50 and 52 of Order No. 2509; and Amendment No. 21, November 9, 1954, of the Secretary of the Interior:

Area Administrative Officer, Area 2.
Area Property and Supply Officer, Area 2.

NEAL D. NELSON,
Area Administrator.

[F.D. Doc. 59-675; Filed, Jan. 26, 1959;
8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[P. & S. Docket No. 291]

NASHVILLE UNION STOCK YARDS, INC.

Notice of Petition for Modification of Rate Order

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amend-

ed (7 U.S.C. 181 et seq.), an order was issued on January 29, 1958 (17 A.D. 9) authorizing the respondent, Nashville Union Stock Yards, Inc., Nashville, Tennessee, to assess the current temporary schedule of rates and charges to and including February 7, 1960, unless modified or extended before that date.

On January 6, 1959, a petition was filed on behalf of the respondent requesting authority to modify the current temporary schedule of rates and charges as indicated below.

YARDAGE CHARGES

	Present rate	Proposed rates
Cattle, 300 pounds or over.....	\$0.90	\$1.00
Bulls, 600 pounds or over.....	1.30	1.50

On all livestock purchased on this yard that are subsequently resold to a buyer on the yards or removed from the holding pens to a selling pen for the purpose of resale, the following charges are assessed:

	Present rate	Proposed rates
Cattle, 300 pounds or over (per head).....	\$0.90	\$1.00
Bulls, 600 pounds or over.....	1.30	1.50

The modifications, if authorized, will produce additional revenue for the respondent and increase the cost of marketing livestock. Accordingly, it appears that this public notice of the filing of the petition and its contents should be given in order that all interested persons may have an opportunity to indicate a desire to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D.C., within 15 days after the publication of this notice.

Done at Washington, D.C., this 22d day of January, 1959.

[SEAL] JOHN C. PIERCE, Jr.,
Acting Director, Livestock Division,
Agricultural Marketing Service.

[F.R. Doc. 59-693; Filed, Jan. 26, 1959; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

U.S. PACIFIC COAST/MIDDLE EAST (BURMA, CEYLON, INDIA, PAKISTAN, PERSIAN GULF AND GULF OF ADEN)

Notice of Tentative Conclusions and Determinations Regarding Essentiality and U.S. Flag Service Requirements of Trade Route 28

Notice is hereby given that on January 16, 1959, the Maritime Administrator, acting pursuant to section 211 of the Merchant Marine Act, 1936, as amended, found and determined the essentiality and United States flag service requirements of United States foreign Trade Route No. 28, and in accordance with his action of July 27, 1956, ordered that the following tentative conclusions and de-

terminations reached by the Maritime Administrator with respect to said trade route be published in the FEDERAL REGISTER:

1. Redescribe Trade Route No. 28 by the deletion of the Straits Settlements, Netherlands East Indies and Red Sea from the area covered by Trade Route No. 28.

2. Affirm the essentiality of Trade Route No. 28, redescribed as follows:

Trade Route No. 28—U.S. Pacific Coast/Middle East (Burma, Ceylon, India, Pakistan, Persian Gulf and Gulf of Aden). Between U.S. Pacific ports (California, Washington and Oregon) and ports in Burma, Ceylon, India, Pakistan, the Persian Gulf and Gulf of Aden.

Determine that requirements for United States flag operations are approximately four sailings monthly from California to Ceylon, West Coast India and West Pakistan and one sailing per month from those areas to California in conjunction with service between California ports and other areas and approximately one sailing per month between U.S. Pacific Coast ports/Bay of Bengal ports (primarily East Coast India and East Pakistan) in conjunction with service between U.S. Pacific Coast ports and other areas.

4. Find as suitable for operation on Trade Route No. 28 such United States flag freighters as have been deemed suitable for employment on other essential United States foreign trade routes and services and which serve Trade Route 28 ports or areas en route to, or as part of servicing, such other essential trade routes and services.

Any person, firm or corporation having any interest in the foregoing who desires to offer comments and views or request a hearing thereon, should submit same in writing in triplicate to the Chief, Office of Government Aid, Maritime Administration, Department of Commerce, Washington 25, D.C. by close of business on February 27, 1959. In the event a hearing is requested, a statement must be included giving the reasons therefor. Any hearing thereby afforded will be before an Examiner on an informal basis only. The Maritime Administrator will consider these comments and views and take such action with respect thereto as in his discretion he deems warranted.

Dated: January 22, 1959.

By order of the Maritime Administrator.

[SEAL] JAMES L. PIMPER,
Secretary.

[F.R. Doc. 59-670; Filed, Jan. 26, 1959; 8:45 a.m.]

INTERNATIONAL COOPERATION
ADMINISTRATION

JAMI 'AT AL ISLAM, INC.

Register of Voluntary Foreign Aid Agencies

In accordance with the regulations of the International Cooperation Administration concerning Registration of Agen-

cies for Voluntary Foreign Aid (I.C.A. Regulation 3) 22 CFR Part 203, promulgated pursuant to section 521 of the Mutual Security Act of 1954, as amended, notice is hereby given that a certificate of registration as a voluntary foreign aid agency has been issued by the Advisory Committee on Voluntary Foreign Aid of the International Cooperation Administration to the following agency:

Jami 'At Al Islam, Inc., Suite 321, Pheasant Building, 760 Market Street, San Francisco 2, Calif.

J. H. SMITH, Jr.,
Director.

JANUARY 17, 1959.

[F.R. Doc. 59-677; Filed, Jan. 26, 1959; 8:46 a.m.]

INTERSTATE COMMERCE
COMMISSION

[Notice 76]

MOTOR CARRIER TRANSFER
PROCEEDINGS

JANUARY 22, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 61490. By order of January 19, 1959, the Transfer Board approved the transfer to Fred W. Pohl, Wathena, Kans., of Certificate in No. MC 108724, issued December 15, 1954, to Lloyd Hegenderfer and Thomas D. Cooper, a partnership, doing business as Hegenderfer and Cooper Truck Line, Denton, Kans., authorizing the transportation of: *Agricultural implements, feed, grain, coal, livestock, building materials, groceries, hay, and various related products, and petroleum products, new household furniture and household furnishings*, between specified points in Kansas and Missouri. Townsend, Jandera & French, 641 Harrison Street, Topeka, Kans., for applicants.

No. MC-FC 61701. By order of January 19, 1959, the Transfer Board approved the transfer to Matthews Charter Service, Inc., R.F.D. #2, Cambridge, Md., of Certificate No. MC 33900, issued April 21, 1942, to Takrab Bus Company, Inc., 29 West 44th Street, Bayonne, N.J., authorizing the transportation of: *Passengers and their baggage, restricted to traffic originating in the territory indicated, in charter operations, from points in Hudson County, N.J., to New York, N.Y., and points in Rockland and Westchester Counties, N.Y., and return.*

No. MC-FC 61764. By order of January 19, 1959, the Transfer Board approved the transfer to A. Silkes, Inc., Medford, Mass., of Permit in No. MC 73164, issued August 23, 1943, to Abigail Silkes, Medford, Mass., authorizing the transportation of: *Milk, cream, cheese, and other dairy products, and such merchandise* as is dealt in by wholesale, retail, and chain grocery and food business houses, from and to various specified points in Massachusetts. Reuben Landau, 18 Court Street, Boston 8, Mass., for applicants.

No. MC-FC 61849. By order of January 20, 1959, the Transfer Board approved the transfer to R. D. Transfer, Inc., Racine, Wisconsin, of the operating rights in Certificate No. MC 82841, issued February 13, 1958, to Richard D. Jenkins, Warren, Illinois, authorizing the transportation, over irregular routes, of general commodities, excluding household goods and other specified commodities, between points within twelve miles of Davenport, Iowa, agricultural implements, from Moline and Rock Island, Ill., to points in 23 specified counties in Nebraska, agricultural machinery and parts, between Valley and Waterloo, Nebr., on the one hand, and, on the other, points in Colorado, Iowa, and Kansas, contractors' equipment and supplies, between points in Nebraska, on the one hand, and, on the other, points in Colorado, Iowa, and Kansas, emigrant movables, between points other than incorporated municipalities in four Colorado counties, on the one hand, and, on the other, all points in Kansas, Nebraska, New Mexico, and Wyoming, feed, from Omaha, Valley, and Fremont, Nebr., to points in Iowa, livestock, between Nickerson, Nebr., and points in Nebraska within 25 miles of Nickerson, on the one hand, and, on the other, points in Kansas, Minnesota, and Missouri, livestock, agricultural commodities, feed, and lumber, between points in four Colorado counties, livestock and agricultural products, between Valley, Nebr., and points in Nebraska within 50 miles of Valley, on the one hand, and, on the other, points in Colorado, Iowa, Kansas, and South Dakota, livestock and farm machinery, between points in four Colorado counties, on the one hand, and, on the other, points in Kansas, Nebraska, New Mexico, and Wyoming, livestock, grain, and hay, in truckload lots only, between Arlington, Nebr., and points within 15 miles thereof, on the one hand, and, on the other, points in Iowa, livestock, grain, feed, tankage, agricultural implements, household goods, petroleum products in packages, coal, and road machinery, between Nickerson, Nebr., and points in Nebraska within 25 miles thereof, on the one hand, and, on the other, points in Iowa, milk powder, from Omaha and Waterloo, Nebr., to Sioux City, Iowa, Sioux Falls, S. Dak., and Denver, Colo., and seed, between Waterloo, Nebr., on the one hand, and, on the other, points in Colorado, Illinois, Iowa, Kansas, and South Dakota. C. A. Ross, 1005 Trust Building, Lincoln 8, Nebraska, for applicants.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 59-682; Filed, Jan. 26, 1959;
8:47 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 22, 1959.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 35199: *Petroleum coke—Lake Charles, La., to Ravenswood Works, W. Va.* Filed by Southwestern Freight Bureau, Agent (No. B-7466), for interested rail carriers. Rates on petroleum coke, carloads from Lake Charles, La., to Ravenswood Works, W. Va.

Grounds for relief: Short-line distance formula.

Tariff: Supplement 110 to Southwestern Freight Bureau tariff I.C.C. 3983.

FSA No. 35200: *Tankage and sludge—Illinois and Wisconsin to southern points.* Filed by Illinois Freight Association, Agent (No. 40), for interested rail carriers. Rates on dry tankage, and dry sewage sludge, carloads from specified points in Illinois and Wisconsin to specified points in Florida and Georgia.

Grounds for relief: Market competition with Chicago, Ill., at same destinations.

Tariff: Trunk Line-Central Territory Railroads tariff I.C.C. C-53.

FSA No. 35201: *Dry tankage—Chicago, Ill., to southern ports.* Filed by Illinois Freight Association, Agent (No. 41), for interested rail carriers. Rates on tankage, dry, other than digester or feeding, carloads, from Chicago, Ill., to specified ports in Florida, Georgia, North Carolina and South Carolina.

Grounds for relief: Market competition with Carrollsville, Wis.

Tariff: Trunk Line-Central Territory Railroads tariff I.C.C. C-53.

FSA No. 35202: *Class and commodity rates from and to Good Hope, Wis.* Filed by Illinois Freight Association, Agent (No. 42), for interested rail carriers. Rates on various commodities moving on class or commodity rates from and to Good Hope, Wis.

Grounds for relief: Establishment of new station.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 59-681; Filed, Jan. 26, 1959;
8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-1197]

REMINGTON ARMS COMPANY, INC.

Notice of Filing of Application for Order Exempting Loans by Applicant to its Employees From Provisions of the Act

JANUARY 21, 1959.

Notice is hereby given that Remington Arms Company, Inc. ("Applicant"), a Delaware corporation, having its principal

office in Bridgeport, Connecticut, has filed an application and an amendment thereto pursuant to sections 17(b) and 6(c) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of section 17(a) (3) of the Act the transactions or class of transactions hereinafter described whereby the employees of Applicant are permitted to borrow money from Applicant, subject to specific conditions set forth below.

The application indicates that Delaware Realty and Investment Company ("Realty"), a registered investment company, owns approximately 33 percent of the outstanding common stock of Christiana Securities Company ("Christiana"), also a registered investment company. Christiana owns with full power to vote approximately 27 percent of the outstanding common stock of E. I. du Pont de Nemours and Company, which, in turn, owns approximately 60 percent of the outstanding voting securities of Applicant. By definition under the Act, Applicant is an affiliated person of, and controlled by, registered investment companies, and the employees of Applicant are affiliated persons of an affiliated person of such registered investment companies. Section 17(a) (3) of the Act, subject to certain exceptions, prohibits an affiliated person of an affiliated person of a registered investment company from borrowing any money from any company controlled by such registered investment company. Therefore, the borrowing of money from Applicant by its employees is prohibited under section 17(a) (3) unless the Commission grants an exemption pursuant to sections 17(b) and 6(c) of the Act.

In support of the application Applicant states that its employees have been faced with unexpected medical expenses, home repairs, or home financing and moving expenses arising when they are transferred by Applicant to a new area. The changing money market often makes it difficult and unattractive for employees to borrow money from a financial institution, and transferees to new areas may have difficulty in arranging suitable financing. Applicant believes that it would be to its own as well as its employees' best interest if it were able to make the necessary sums of money available to its employees in the few cases where it is impossible or impractical for employees to obtain financial assistance elsewhere. All loans would bear interest at normal rates charged by lending institutions for a similar type of loan, except in cases where the circumstances may indicate that it would be beneficial to the Applicant to do otherwise. Repayment of small emergency loans would be required in the shortest time consistent with the financial status of the employee in order to discourage the employee from obtaining loans from the Applicant. Larger loans to finance the building or purchase of new homes by transferred employees in a new area would be secured and handled by the Applicant in a manner which is customary for mortgage loans. It is the intention of the Applicant that such loans shall be in accordance with general or specific actions of the Board of Directors and that no loans

shall be made to any Director or officer of the Company or of any affiliated company, and further, that (1) the aggregate amount of loans outstanding at any time shall not exceed the sum of \$100,000, and (2) the amount on loan to any one employee at any time shall not exceed \$10,000.

Under section 17(b) of the Act the Commission shall grant an exemption from the prohibitions of section 17(a) if it finds that the terms of the proposed transaction are reasonable and fair and will not involve overreaching on the part of any person concerned; that the proposed transaction is consistent with the policy of the registered investment company concerned, as recited in its registration statement and reports filed under the Act and with the general purposes of the Act.

Since the loans by Applicant to its employees which would be exempted by the requested order are not related to specific transactions but relate to a class of transactions meeting the conditions described in the application and summarized above, Applicant has included in its application a request that, in addition to an exemption pursuant to section 17(b) of the Act, the Commission grant an exemption under section 6(c) of the Act. Section 6(c) of the Act authorizes the Commission, by order upon application, to exempt, conditionally or unconditionally, any transaction or any class of transactions from any provisions of the Act or of any rule or regulation thereunder, if and to the extent that the Commission finds such exemption is necessary or appropriate in the public interest and consistent with the protection of inves-

tors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than February 5, 1959, at 5:30 p.m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and request that a hearing be held, such request stating the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, the amended application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the Act.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F.R. Doc. 59-678; Filed, Jan. 26, 1959;
8:46 a.m.]

TARIFF COMMISSION

HOUSEHOLD AUTOMATIC ZIGZAG SEWING MACHINES, AND PARTS THEREOF

Receipt of Complaint

JANUARY 21, 1959.

The United States Tariff Commission hereby gives notice of the receipt, on January 15, 1959, of a complaint under

section 337 of the Tariff Act of 1930 (19 U.S.C. section 1337) filed by The Singer Manufacturing Company of New York, New York, alleging unfair methods of competition and unfair acts in the importation and sale of certain household automatic zigzag sewing machines and parts thereof.

In accordance with the provisions of § 203.3 of the rules of practice and procedure of the Commission (19 CFR 203.3) the Commission has initiated a preliminary inquiry into the allegations of this complaint to determine (a) whether the institution of an investigation under section 337, above, is warranted, and (b) whether the issuance of a temporary order of exclusion from entry under section 337(f) of the Tariff Act of 1930 (19 U.S.C. 1337(f)) is warranted.

A copy of the complaint is available for public inspection at the offices of the United States Tariff Commission located at Eighth and E Streets NW., Washington, D.C., and also in the New York City office of the Tariff Commission, located in Room 437 of the Customs House.

Views of interested parties pertinent to the subject matter of the preliminary inquiry will be considered by the Commission if received not later than February 25, 1959. Such views must be in writing, and fifteen copies must be submitted.

By order of the Commission,

Issued: January 21, 1959.

[SEAL]

DONN N. BENT,
Secretary.

[F.R. Doc. 59-679; Filed, Jan. 26, 1959;
8:46 a.m.]

